

City Clerk File No. Ord. 19-043

Agenda No. 3.7 1st Reading

Agenda No. 4.7 2nd Reading & Final Passage



ORDINANCE OF JERSEY CITY, N.J.

COUNCIL AS A WHOLE

offered and moved adoption of the following ordinance:

CITY ORDINANCE 19-043

TITLE: ORDINANCE AUTHORIZING THE CONVEYANCE OF CITY OWNED PROPERTY LOCATED AT 265 MARTIN LUTHER KING DRIVE, A/K/A BLOCK 23405, LOT 26, F/K/A BLOCK 1306, LOT 28B TO THE URBAN LEAGUE OF HUDSON COUNTY, A NON-PROFIT CORPORATION PURSUANT TO N.J.S.A. 40A:12-21(k).

COUNCIL offered and moved adoption of the following Ordinance:

WHEREAS, on August 26, 2014 the Municipal Council of the City of Jersey City adopted Ordinance Number 14-089 authorizing the conveyance of 265 Martin Luther King Drive, a/k/a Block 23405, Lot 26, f/k/a Block 1306, Lot 28B (the "Property") to the Urban League of Hudson County (the "Urban League"), pursuant to N.J.S.A. 40A:12-21(k); and

WHEREAS, on November 3, 2014 a Quitclaim Deed was executed, transferring the Property to the Urban League (the "Deed"); and

WHEREAS, the Deed required the Urban League to perform certain conditions of sale, including rehabilitate the Property and obtain a Certificate of Occupancy no later than March 31, 2017; and

WHEREAS, whereas the Deed was recorded on November 20, 2014 in the Hudson County Register of Deeds at Book 9008, Page 10; and

WHEREAS, on May 10, 2017 the Municipal Council of the City of Jersey City adopted Resolution Number 17-379 extending the deadline to complete the conditions of sale contained in the Deed to March 31, 2019; and

WHEREAS, the Urban League did not complete the conditions of sale by March 31, 2019; and

WHEREAS, pursuant to the Deed, title automatically reverted to and vested in the City when the Urban League failed to complete the conditions of sale by March 31, 2019; and

WHEREAS, the Urban League is a non-profit 501(c)(3) organization dedicated to advocating, facilitating, and promoting initiatives that allow community residents to participate in the development of urban neighborhoods; and

WHEREAS, the Urban League proposes to purchase the Property from the City for the purpose of constructing an Annex for additional offices and classroom space to expand its existing services for the sum of one dollar (\$1.00); and

WHEREAS, pursuant to N.J.S.A. 40A:12-21(k) of the Local Lands and Buildings Law, the City may authorize the private sale of City Property not needed for municipal purposes to any duly incorporated nonprofit organization or association, other than a political, partisan, sectarian, denominational, or religious organization, which includes among its principal purposes the provision of educational, recreational, medical or social services to the general public, including residents of the municipality, for nominal consideration upon certain terms; and

WHEREAS, the Urban League shall obtain the necessary construction approvals and commence work at the property within eighteen (18) months from the date of closing; and

WHEREAS, the deed conveying title must contain a condition subsequent which shall cause title to the property to revert to the City in the event that the Property is used for any commercial business, trade or manufacture purpose or the Property is not used for the purposes of providing education, recreation, medical or social services to the general public for a period of thirty (30) years.

NOW THEREFORE BE IT RESOLVED, by the Municipal Council of the City of Jersey City that:


1. Pursuant to N.J.S.A. 40A:12-21(k), the conveyance of 265 Martin Luther King Drive, a/k/a Block 23405, Lot 26, f/k/a Block 1306, Lot 28B, to the Urban League of Hudson County, a duly incorporated non-profit corporation of the State of New Jersey, is hereby authorized; and
2. The Mayor or Business Administrator is authorized to execute a Deed, Contract of Sale, and any other document as the Corporation Counsel deems appropriate or necessary to effectuate the conveyance of the property to the Urban League of Hudson County; and
3. The Deed Conveying title shall be in substantially the form attached, subject to such modifications as the Corporation Counsel deems appropriate and shall be subject to the following terms and conditions:
 - a. Consideration: The Urban League of Hudson County shall pay the City the sum of \$1.00 for the purchase of the property. Closing shall occur within thirty (30) days from the adoption of the Ordinance by the Municipal Council authorizing the conveyance of the property.
 - b. Conditions of Property: The Property shall be conveyed in its strictly "as is" condition. The City of Jersey City makes no promises as to the ownership or title, but simply transfers whatever interest the City of Jersey City has to the Urban League of Hudson County, specifically, but not by way of limitation, subject to any public easements or rights of way.
 - c. Conditions of Sale:
 1. The Urban League of Hudson County shall obtain the necessary construction approvals and commence work at the property with eighteen (18) months from the closing date. The Urban League shall demonstrate compliance with the Uniform Construction Code and Property Maintenance Code by obtaining a certificate of occupancy from the City's Construction Official by no later than March 31, 2021.
 2. Restriction Against Alienation: the Urban League shall not sell, convey or otherwise transfer the above described property until the Urban League has rehabilitated the property in compliance with the Uniform Construction Code and other conditions of sale contained in the deed.
 3. The Municipal Council shall, upon the Urban League's completion of all the terms and conditions of sale, adopt a resolution stating such fact and shall remove from the deed the Restriction against Alienation.
 4. Use Restriction: The use of the property shall be restricted to providing education, recreation, medical or social services to the general public, including residents of the municipality and not for any commercial, business, trade, or manufacturing purposes for a period of thirty (30) years. In the event of a violation thereof by Urban League, its heirs, successors or assigns, the Property shall revert to the City without any entry or reentry made thereon.

5. If the Urban League (a) fails to obtain the permit approvals and commence construction within eighteen (18) months from the closing date, (b) sells or attempts to sell the property before making the required repairs, (c) refuses access to City Officials seeking to inspect the property, (d) fails to obtain a certificate of occupancy from the City's Construction Official by no later than March 31, 2021, or (e) the property is used for commercial business trade or manufacture purpose, then title to the property shall automatically revert to and become vested in the City of Jersey City.
6. Upon demand, Grantee and any subsequent purchaser shall submit annual reports and any other requested records and documentation to Grantor to insure that the within terms and conditions have not been violated.
 - A. All ordinances and parts of ordinances inconsistent herewith are hereby repealed.
 - B. This Ordinance shall be part of the Jersey City Code as though codified and fully set forth therein. The City Clerk shall have this ordinance codified and incorporated in the official copies of the Jersey City Code.
 - C. This ordinance shall take effect at the time and in the manner as provided by law.
 - D. The City Clerk and the Corporation Counsel be and they are hereby authorized and directed to change any chapter numbers, article numbers, and section numbers in the event that the codification of this ordinance reveals that there is a conflict between those numbers and the existing code, in order to avoid confusion and possible accidental repealers of existing provisions.

NOTE: All new material is underlined; words in ~~{brackets}~~ are omitted. For purposes of advertising only, new matter is indicated by **boldface** and repealed matter by *italic*.

HCB/mma
04/17/19

APPROVED AS TO LEGAL FORM



Corporation Counsel

APPROVED: _____

APPROVED: _____
Business Administrator

Certification Required ☐

Not Required ☐

ORDINANCE FACT SHEET

This summary sheet is to be attached to the front of any ordinance that is submitted for Council consideration. Incomplete or vague fact sheets will be returned with the ordinance.

Full Title of Ordinance/Resolution

ORDINANCE AUTHORIZING THE CONVEYANCE OF CITY OWNED PROPERTY LOCATED AT 265 MARTIN LUTHER KING DRIVE, A/K/A BLOCK 23405, LOT 26, F/K/A BLOCK 1306, LOT 28B TO THE URBAN LEAGUE OF HUDSON COUNTY, A NON-PROFIT CORPORATION PURSUANT TO N.J.S.A. 40A:12-21(k).

Initiator

Department/Division	Administration	
Name/Title	Brian Platt	Business Administrator
Phone/email	201-547-4513	BPlatt@jcnj.org

Note: Initiator must be available by phone during agenda meeting (Wednesday prior to council meeting @ 4:00 p.m.)

Ordinance Purpose

The purpose of this resolution is to authorize the conveyance of property to the Urban League of Hudson County pursuant to N.J.S.A. 40A:12-21(k).

I certify that all the facts presented herein are accurate.

Signature of Department Director

Date

Ordinance of the City of Jersey City, N.J.



ORDINANCE NO. Ord. 19-043

TITLE: 3.7 APR 24 2019 4.7 MAY 08 2019

Ordinance authorizing the conveyance of city owned property located at 265 Martin Luther King Drive, a/k/a Block 23405, Lot 26, f/k/a Block 1306, Lot 28B to the Urban League of Hudson County, a Non-Profit Corporation pursuant to N.J.S.A. 40A:12-21(k).

RECORD OF COUNCIL VOTE ON INTRODUCTION

APR 24 2019 9-0

COUNCILPERSON	AYE	NAY	N.V.	COUNCILPERSON	AYE	NAY	N.V.	COUNCILPERSON	AYE	NAY	N.V.
RIDLEY	✓			YUN	✓			RIVERA	✓		
PRINZ-AREY	✓			SOLOMON	✓			WATTERMANN	✓		
BOGGIANO	✓			ROBINSON	✓			LAVARRO, PRES.	✓		

RECORD OF COUNCIL VOTE TO CLOSE PUBLIC HEARING

MAY 08 2019 9-0

Councilperson <u>RIVERA</u> moved, seconded by Councilperson <u>LAVARRO</u> to close P.H.											
COUNCILPERSON	AYE	NAY	N.V.	COUNCILPERSON	AYE	NAY	N.V.	COUNCILPERSON	AYE	NAY	N.V.
RIDLEY	✓			YUN	✓			RIVERA	✓		
PRINZ-AREY	✓			SOLOMON	✓			WATTERMANN	✓		
BOGGIANO	✓			ROBINSON	✓			LAVARRO, PRES.	✓		

✓ Indicates Vote

N.V.--Not Voting (Abstain)

SPEAKERS:

RECORD OF COUNCIL VOTE ON AMENDMENTS, IF ANY

Councilperson _____ moved to amend* Ordinance, seconded by Councilperson _____ & adopted _____											
COUNCILPERSON	AYE	NAY	N.V.	COUNCILPERSON	AYE	NAY	N.V.	COUNCILPERSON	AYE	NAY	N.V.
RIDLEY				YUN				RIVERA			
PRINZ-AREY				SOLOMON				WATTERMANN			
BOGGIANO				ROBINSON				LAVARRO, PRES.			

RECORD OF FINAL COUNCIL VOTE

MAY 08 2019 9-0

COUNCILPERSON	AYE	NAY	N.V.	COUNCILPERSON	AYE	NAY	N.V.	COUNCILPERSON	AYE	NAY	N.V.
RIDLEY	✓			YUN	✓			RIVERA	✓		
PRINZ-AREY	✓			SOLOMON	✓			WATTERMANN	✓		
BOGGIANO	✓			ROBINSON	✓			LAVARRO, PRES.	✓		

✓ Indicates Vote

N.V.--Not Voting (Abstain)

Adopted on first reading of the Council of Jersey City, N.J. on APR 24 2019

Adopted on second and final reading after hearing on MAY 08 2019

This is to certify that the foregoing Ordinance was adopted by the Municipal Council at its meeting on

Robert Byrne, City Clerk

*Amendment(s):

APPROVED:

Rolando R. Lavarro, Jr., Council President

Date _____

APPROVED:

Steven M. Fulop, Mayor

Date _____

MAY 13 2019

Date to Mayor _____

MAY - 9 2019

04.24.19